

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KELLY E. SMITH,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social
Security,

Defendant.

No. CV-05-0342-CI

ORDER GRANTING JOINT MOTION
FOR STIPULATED REMAND
PURSUANT TO SENTENCE FOUR OF
42 U.S.C. 405(g)

BEFORE THE COURT is the parties' stipulated Motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 25). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 8). After considering the stipulation of the parties,

IT IS ORDERED that the above-captioned case be **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will conduct further administrative proceedings, including, but not limited to, the following actions: further consideration of the severity of all Plaintiff's impairments; further evaluation of Plaintiff's mental impairments pursuant to the procedures in 20 C.F.R. § 416.920a; consideration of the opinions of Diane L. Rubin, M.D. (Tr. 229-232),

1 and Lance Harris, Ph.D. (Tr. 377-382); further consideration of
2 Plaintiff's residual functional capacity; if necessary, further
3 consideration of Plaintiff's ability to perform past relevant work
4 and, if necessary his ability to perform other work in the national
5 economy. The ALJ will also consider and rule on Plaintiff's request
6 at Tr. 28-29, 162-163.

7 **IT IS FURTHER ORDERED:**

8 1. The parties' joint Motion for Stipulated Remand (**Ct. Rec.**
9 **25**) is **GRANTED**.

10 2. Judgment shall be entered for the PLAINTIFF.

11 3. An application for attorney fees may be filed by separate
12 motion.

13 4. The District Court Executive is directed to enter this
14 Order, forward copies to counsel, and thereafter shall close this
15 file.

16 DATED October 6, 2006.

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18 S/ CYNTHIA IMBROGNO
19 UNITED STATES MAGISTRATE JUDGE
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